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EMINENT DOMAIN—TELEPHONE POLES IN HIGHWAY—NO ADDITIONAL BURDEN.—In a suit in chancery by the owner of abutting property against a telephone company to enjoin it from erecting poles and wires in a street, the fee of which was in the complainant, until compensation be made for the increased burden to the fee, *held* (TYSON and DENSON, J. J., dissenting), that a telephone line along the margin of a highway is not an additional burden, entitling the abutting owner to compensation. *Hobbs v. Long Distance Telephone and Telegraph Company* (1906), — Ala. —, 41 So. Rep. 1003.

In coming to this conclusion the court merely follows what appears to be the trend of modern decisions. A steadily increasing number of courts have taken the same position, although as yet the weight of authority seems to be the other way. The court holds "that the public roads when dedicated, were dedicated, not merely for travel on foot, or on animals, or in vehicles, but for locomotion by any means that should be afterwards discovered, and for communication between the citizens of the country by carriers, on foot, or riding, or by any other means that might be found suitable, and best." * * * "So if it be found better to string wires high above the roads and convey messages by that mysterious something which is in the atmosphere and which seems to be as exhaustless as the bounties of Providence, it is accomplishing one of the great purposes for which public roads are dedicated." For an exhaustive collection of authorities on both sides of the question involved in this case see *Frazier et ux. v. East Tennessee Telephone Company* (1906), 115 Tenn. 416, 90 S. W. 620, discussed in 4 MICHIGAN LAW REVIEW, p. 558, also see 27 AM. & ENG. ENCYC. LAW, pp. 1008, 1009.

EQUITY—INJUNCTION AGAINST PROSECUTION.—The City of Kansas City, Kansas, in violation of law, enacted an ordinance providing for the granting of licenses to gamblers to violate the law in certain prohibited districts. A, by authority of this ordinance, paid the City Treasurer five thousand dollars (\$5,000.00) and procured from him a license to run a gambling house in the city. He opened up a place of business within the prohibited district and commenced negotiations with the public, for which he was prosecuted and fined. He filed a petition in the district court alleging that the city would cause him to be arrested if he again opened business, and asked for an injunction restraining the city from again interfering with him or his business. The lower court granted a temporary injunction; upon appeal it was *held* that A was not entitled to an injunction to restrain the city from prosecuting him under the conditions stated. *Levi v. Kansas City et al.* (1906), — Kan. —, 86 Pac. Rep. 149.

It would seem that the decision of the Kansas Court has a basis in authority, reason, and public policy. As the learned judge says in his opinion, this is perhaps the first time that a professional criminal has come into a court of equity, and, admitting his guilt, asked relief. To grant relief in such a case would certainly be against public policy. It is a well settled rule that equity will not enjoin criminal or quasi-criminal proceedings. *Shakel v. Roche* (1888), 27 Ill. App. 423; *Yates v. Batavia* (1875), 79 Ill. 500; *Kramer v. Board of Police of New York* (1886), 53 N. Y. Super. Ct. 492; *Kenny v.*